

As with all its programs, NDEQ encourages voluntary compliance. However, NDEQ can seek court-ordered injunctions, fines, or other legal remedies as provided for in the Nebraska Environmental Protection Act in order to obtain compliance with the regulations.

While NDEQ administers Title 198, the Nebraska Department of Agriculture, administers most other state and federal pesticide and fertilizer laws and regulations. For questions regarding pesticide and fertilizer production, sales, and use and licensing, call (402) 471-2394.

YOU'VE GOT QUESTIONS?

WE'VE GOT ANSWERS!

Please contact us at (402) 471-4255 or visit our web site at www.deq.state.ne.us.

We are here to help.

*Nebraska Department of Environmental Quality
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Are Environmental Regulations Becoming a Pest?



**Quick Info for Complying with
Nebraska's Secondary
Containment Regs.**

Do you store pesticide or fertilizer containers larger than 55 gallons?

Do you store bulk liquid pesticides in aggregate quantities greater than 500 gallons?

Do you apply pesticide or fertilizer solutions for hire?



If you answered **YES** to any of these questions, you may be required to have **SECONDARY CONTAINMENT AND/OR LOADOUT FACILITIES.**

Large quantities of agricultural chemicals, both pesticides and fertilizers, are used in Nebraska. Bulk supplies of these chemicals are stored for various lengths of time by individual producers, chemical dealers, and custom applicators. **SPIILLS** or **LEAKAGE** of these materials from storage tanks pose a very real threat to our ground and surface waters.

Nebraska protects its waters from spills or leaks through Title 198; Rules and Regulations Pertaining To Agricultural Chemical Containment. (See "rules and regulations" at www.ndeq.state.ne.us.)

When is pesticide containment required?

Secondary containment and a load-out facility are required when bulk pesticide storage capacity exceeds 500 gallons. Even if secondary containment is not required, a custom applicator must have a load-out facility

when using pesticides from original containers larger than three gallons or when using pesticide or fertilizer mixtures of more than 100 gallons.

When is fertilizer containment required?

The situations in which bulk fertilizer storage must be contained are a little more complicated. Secondary containment is required when:

- The capacity of a single container exceeds 2,000 gallons;
- The capacity of two or more containers exceeds 3,000 gallons; or
- Fertilizer storage exceeds 25 percent of the container capacity for any container larger than 500 gallons anytime from November 1 through March 15.

There are Exceptions:

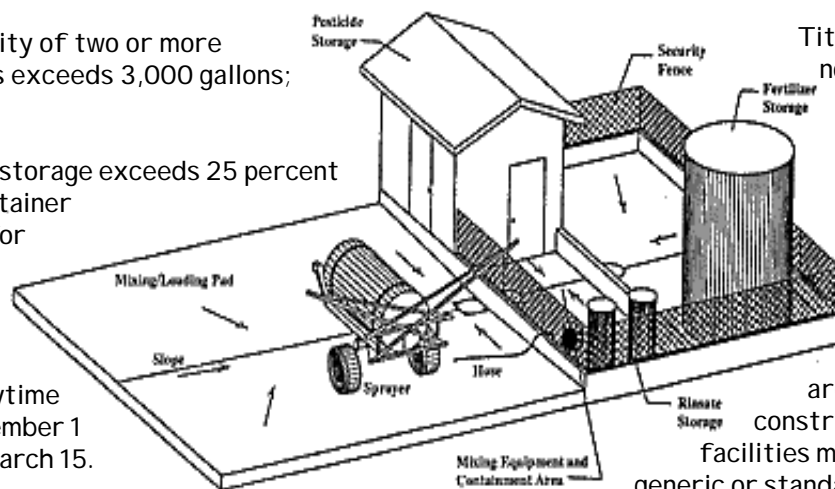
- One exception allows the use of one or more containers (up to 6,000 gallons of combined capacity) at the application site from March 15 through October 1, for up to 21 consecutive days without secondary

containment. However, this exception is specific to that application site and does not apply to containers used in chemigation or to nurse tanks used for satellite-type operations to other fields. Other requirements also must be met, such as minimum distances from surface water and wells.

Other exceptions are:

- Anhydrous ammonia, dry fertilizer, and feedlot manure.
- Containers designed and used for transportation.
- Application site load-out activities.

Permits and Registration:



Title 198 regulations do not require either registration or a permit. However, a construction plan and a management program for secondary containment and load-out facilities are required. The construction plan for new facilities must either be a generic or standardized design that has been approved by the Nebraska Department of Environmental Quality (NDEQ), or include certification from a Nebraska registered Professional Engineer that the facility design complies with the regulations.